

**SUPREME COURT OF THE STATE OF WASHINGTON**

COMMUNITY CARE  
COALITION OF WASHINGTON;  
HOME CARE OF  
WASHINGTON, INC.; THE  
FREDRICKSON HOME;  
CYNTHIA O'NEILL, a  
Washington Citizen and Taxpayer;  
RON RALPH and LOIS RALPH,  
husband and wife and  
Washington Citizens and  
Taxpayers,

Petitioners,

v.

SAM REED, Secretary of State,

Respondent,

and

LINDA LEE and PEOPLE FOR  
SAFE QUALITY CARE,

Intervenors/Respondents.

No. 81857-6

DECLARATION OF  
NARDA PIERCE IN  
SUPPORT OF REQUEST  
FOR JUDICIAL NOTICE

Narda Pierce declares as follows:

1. I am one of the attorneys for petitioners herein.
2. On July 16, 2008, I submitted a public records request to Brenda Galaraza, Public Records Officer for the Secretary of State,

requesting public records pursuant to Chapter 42.56 RCW. A copy of my request is attached as Exhibit A.

3. Exhibits B - J are attached hereto and are true and correct copies of documents that were provided to me by Brenda Galaraza in response to the July 16, 2008 public records request. These exhibits include the following:

Exhibit B	Affidavit for Proposed Initiative to the Legislature, dated December 4, 2007
Exhibit C	Certificate of Review by Code Reviser K. Kyle Thiessen, dated December 10, 2007
Exhibit D	Letter from Attorney General supplying ballot title and ballot measure summary, dated December 21, 2007
Exhibit E	Affidavit for Proposed Initiative to the Legislature, dated December 4, 2007
Exhibit F	Certificate of Review from Code Reviser, K. Kyle Thiessen, dated December 10, 2007
Exhibit G	Letter from Attorney General supplying ballot title and ballot measure summary, dated December 21, 2007

- Exhibit H      Affidavit for Proposed Initiative to  
the People, dated January 30, 2008
- Exhibit I      Secretary of State emails July 3,  
July 7, 2008
- Exhibit J      Secretary of State emails June 25,  
2008.

—  
SIGNED this 8<sup>th</sup> day of August, 2008, at Olympia,  
Washington.



---

Narda Pierce, WSBA No. 10923  
Attorney for Petitioners

BENEDICT GARRATT  
POND & PIERCE PLLC  
711 Capitol Way S., Suite 605  
Olympia, WA 98501  
Ph: (360) 236-9858  
Fax: (360) 236-9860

**EXHIBIT A**

# BENEDICT GARRATT POND & PIERCE, PLLC

ATTORNEYS AT LAW

KATHLEEN D. BENEDICT  
(360) 236-9858

NARDA PIERCE  
(360) 357-6850

OLYMPIA OFFICE:  
711 CAPITOL WAY S, SUITE 605  
OLYMPIA, WA 98501  
FAX: (360) 236-9860

www.benedictlaw.com

SALLY GUSTAFSON GARRATT  
(206) 652-8983

RALPH C. POND  
(206) 447-5755

SEATTLE OFFICE:  
1000 SECOND AVENUE, 30<sup>TH</sup> FLOOR  
SEATTLE, WA 98104-1064

July 16, 2008

Office of Secretary of State  
Legislative Building  
Olympia, Washington 98504

Attn: Brenda Galaraza, Public Records Officer

RE: Public Records Request

Dear Public Records Officer:

This letter is a request for public records pursuant to Chapter 42.56 RCW. We request that the public records identified below be made available for inspection and copying in accordance with RCW 42.56.080. Our preference is to receive a copy of the documents as soon as possible, rather than reviewing the records first and then selecting records. We will pay the allowable copying charges up to \$2500. Please advise if the copying charges would exceed that amount.

Our request includes "public records" within meaning of Public Records Act, RCW 42.56.010 (applying the definitions in RCW 42.17.020). Under RCW 42.17.020(41) "public record" includes any writing prepared, owned, used, or retained by the state agency regardless of physical form or characteristics. The term "writing" is defined in RCW 42.17.020(48) to mean handwriting, typewriting, printing, photostating, photographing, and every other means of recording any form of communication or representation, including, but not limited to, letters, words, pictures, sounds, or symbols, or combination thereof, and all papers, maps, magnetic or paper tapes, photographic films and prints, motion picture, film and video recordings, magnetic or punched cards, discs, drums, diskettes, sound recordings, and other documents including existing data compilations from which information may be obtained or translated.

In accordance with these definitions, our request includes, but is not limited to, final and draft documents whether in electronic or paper form, correspondence whether in

Secretary of State  
Attn: Brenda Galarza  
7/16/2008  
Page 2

electronic or paper form, email messages, voicemail, handwritten notes, and message slips.

We further request that the public records be made available on a partial or installment basis as provided in RCW 42.56.080. We would anticipate the official initiative files maintained by the Secretary of State could be made available immediately. Additionally, please provide nonexempt public records that are not subject to review for possible claims of exemptions as soon as possible, without waiting to provide them at the same time as any claims of exemption for public records that you do not provide.

- (1) All public records relating to Initiative 1029.
- (2) All public records relating to the unnumbered initiative sponsored by Ms. Linda Suzanne Lee listed on the Secretary of State website page attached as Attachment A.
- (3) All public records relating to the actions described in the notation on the website page, Attachment A, as follows: "\*\*Rejected—Affidavit corrected and Initiative Re-Filed."
- (4) All public records relating to a proposed Initiative to the Legislature assigned Number 405 and noted on the Secretary of State website pages attached as Attachment B and listed as filed on 12/04/2007.
- (5) All public records relating to a proposed Initiative to the Legislature assigned Number 406 and noted on the Secretary of State website pages attached as Attachment B and listed as filed on 12/04/2007.
- (6) All public records reflecting communications in the calendar years 2007 or 2008 with Linda S. Lee, Charrisa Raynor, or Judith Krebs.
- (7) All public records relating to the two initiative filings for which filing fees were received on March 12, 2008, as reflected in the Customer Receipt attached as Attachment C. (This Customer Receipt was contained in the official file for Initiative 1029, but since it reflects that Linda S. Lee paid "Initiative Filing Fee x 2" it appears the receipt also relates to another filing.)

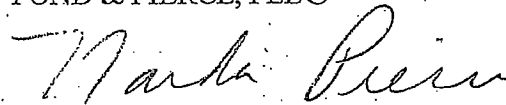
Our preference is to receive a copy of the documents as soon as possible, rather than reviewing the records first and then selecting records. We will pay the allowable copying charges up to \$2500. Please advise if the copying charges would exceed that amount.

Secretary of State  
Attn: Brenda Galarza  
7/16/2008  
Page 3

If you need any clarifying information, please contact me immediately at the address or phone number listed above or at [pierce@benedictlaw.com](mailto:pierce@benedictlaw.com).

Very truly yours,

BENEDICT GARRATT  
POND & PIERCE, PLLC

A handwritten signature in cursive script, appearing to read "Narda Pierce".

Narda Pierce

cc: Nick Handy, Director  
Elections Division

James K. Pharris,  
Deputy Solicitor General

**EXHIBIT B**



State of Washington

Filed

DEC 4 2007

Secretary of State

# AFFIDAVIT FOR PROPOSED INITIATIVE

State of Washington

County of King

)  
) ss.  
)

I, Charissa Raynor, am a registered voter residing at: Enter your name as recorded on your voter registration—Please Print

33615 1st Way South, Suite A Federal Way, WA 98003

STREET ADDRESS OR RURAL ROUTE

CITY, WASHINGTON

ZIP CODE

King  
COUNTY

(206) 393-2799  
TELEPHONE NO. (W/ AREA CODE)

I herewith submit a proposed Initiative to the (check one) [Charissa-raynor@yahoo.com NOT PUBLIC]

☐ People

☒ Legislature

in the form appended hereto regarding the subject of long-term care service and request that the Secretary of State file same and assign an Initiative number, and do further request that the Attorney General supply a ballot title.

Charissa Raynor

SIGNATURE OF SPONSOR

I certify that I know or have satisfactory evidence that Charissa Raynor is the person who appeared before me, and said person acknowledged that (he/she) signed this instrument and acknowledged it to be (his/her) free and voluntary act for the uses and purposes mentioned in the instrument.

Dec 4th, 2007

DATED

ROXANNE E NELSON  
Notary Public  
State of Washington  
My Commission Expires  
April 10, 2010

Roxanne E. Nelson  
NOTARY'S SIGNATURE

NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON

April 10, 2010  
MY APPOINTMENT EXPIRES

**Note:** The Secretary of State routinely publishes lists of proposed initiatives, including sponsor addresses and telephone numbers. Initiative sponsors may have alternative contact information published by providing the information in the space below. Please keep in mind that all information provided in this affidavit is public record and is subject to public disclosure.

33615 1st Way South, Suite A Federal Way, WA 98003

ADDRESS

CITY, WASHINGTON

ZIP CODE

866-371-3200  
TELEPHONE NO. (W/ AREA CODE)

FAX NO. (W/ AREA CODE)

Charissa-raynor  
E-MAIL

**EXHIBIT C**

OFFICE OF THE CODE REVISER  
LEGISLATIVE BUILDING  
OLYMPIA, WA 98504

Filed  
DEC 17 2007  
Secretary of State

IN THE MATTER OF THE PROPOSED  
INITIATIVE TO THE legislature  
Relating to long-term care services for the  
elderly and persons with disabilities

PETITIONER: Ms. Charissa Raynor  
33615 1st Way South, Suite A  
Federal Way, WA 98003

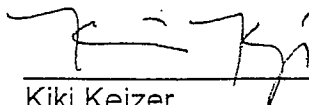
**CERTIFICATE OF REVIEW (pursuant to RCW 29A.72.020)**

I hereby certify that sponsor's proposal was received in the office of the Code Reviser on December 4, 2007, that I have reviewed the proposal, and that any recommendations thereon, if any, have been communicated to the sponsor.

Dated December 10, 2007

K. Kyle Thiessen  
Code Reviser

By



Kiki Keizer  
Assistant Code Reviser

**EXHIBIT D**



Rob McKenna

## ATTORNEY GENERAL OF WASHINGTON

1125 Washington Street SE • PO Box 40100 • Olympia WA 98504-0100

December 21, 2007

RECEIVED  
DEC 21 2007

The Honorable Sam Reed  
ATTN: Shane Hamlin  
Assistant Director of Elections  
PO Box 40220  
Olympia, WA 98504-0220

Office of Secretary of State

Re: Initiative No. 405

Dear Mr. Reed:

Pursuant to RCW 29A.72.060, we supply herewith the ballot title and ballot measure summary for Initiative No. 405 to the Legislature (an act relating to long-term care services for the elderly and persons with disabilities).

### BALLOT TITLE

Statement of Subject: Initiative Measure No. 405 concerns long-term care services for the elderly and persons with disabilities

Concise Description: This measure would require certification for long-term care workers, including adult day care, hired after January 1, 2009, based on new testing and disciplinary standards, increased training standards, and additional criminal background checks.

Should this measure be enacted into law? Yes ☐ No ☐

### BALLOT MEASURE SUMMARY

This measure would require that long-term care workers for the elderly or persons with disabilities (including adult day-care providers) hired after January 1, 2009, be certified within 180 days of hiring. Certification requirements would include increased state-approved training and a certification examination. Some of the training could be waived based on experience or for workers who already have certain healthcare licenses. A federal criminal background check would be performed and paid for by the state.

Sincerely,

JEFFREY T. EVEN  
Deputy Solicitor General  
360-586-0728

**EXHIBIT E**



Filed

DEC 4 2007

Secretary of State

State of Washington

## AFFIDAVIT FOR PROPOSED INITIATIVE

State of Washington

County of King) ss.  
)I, Charissa Raynor, am a registered voter residing at: Enter your name as recorded on your voter registration—Please Print33615 1st Way South Suite A Federal Way, WA 98003

STREET ADDRESS OR RURAL ROUTE

CITY, WASHINGTON

ZIP CODE

King  
COUNTY(206) 393-2799  
TELEPHONE NO. (W/ AREA CODE)

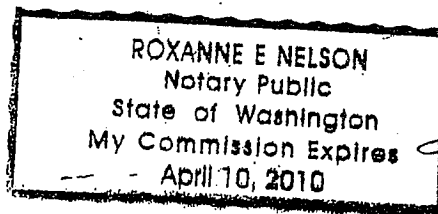
I herewith submit a proposed Initiative to the (check one)

☐ People☒ Legislaturein the form appended hereto regarding the subject of long term care services and request that the Secretary of State file same and assign an Initiative number, and do further request that the Attorney General supply a ballot title.[charissa\_raynor@yahoo.com]  
[NOT PUBLIC]Charissa Raynor

SIGNATURE OF SPONSOR

I certify that I know or have satisfactory evidence that Charissa Raynor is the person who appeared before me, and said person acknowledged that (he/she) signed this instrument and acknowledged it to be (his/her) free and voluntary act for the uses and purposes mentioned in the instrument.Dec 4th, 2007

DATED

Roxanne E. Nelson

NOTARY'S SIGNATURE

NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON

April 10, 2010

MY APPOINTMENT EXPIRES

Note: The Secretary of State routinely publishes lists of proposed initiatives, including sponsor addresses and telephone numbers. Initiative sponsors may have alternative contact information published by providing the information in the space below. Please keep in mind that all information provided in this affidavit is public record and is subject to public disclosure.

33615 1st Way South Suite A Federal Way, WA 98003

ADDRESS

CITY, WASHINGTON

ZIP CODE

(866) 371-3200

TELEPHONE NO. (W/ AREA CODE)

FAX NO. (W/ AREA CODE)

E-MAIL

**EXHIBIT F**

OFFICE OF THE CODE REVISER  
LEGISLATIVE BUILDING  
OLYMPIA, WA 98504

Filed  
DEC 17 2007  
Secretary of State

IN THE MATTER OF THE PROPOSED  
INITIATIVE TO THE legislature  
Relating to long-term care services for the  
elderly and persons with disabilities

PETITIONER: Ms. Charissa Raynor  
33615 1st Way South, Suite A  
Federal Way, WA 98003

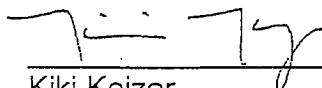
**CERTIFICATE OF REVIEW (pursuant to RCW 29A.72.020)**

I hereby certify that sponsor's proposal was received in the office of the Code Reviser on December 4, 2007, that I have reviewed the proposal, and that any recommendations thereon, if any, have been communicated to the sponsor.

Dated December 10, 2007

K. Kyle Thiessen  
Code Reviser

By



Kiki Keizer  
Assistant Code Reviser

**EXHIBIT G**



Rob McKenna

## ATTORNEY GENERAL OF WASHINGTON

1125 Washington Street SE • PO Box 40100 • Olympia WA 98504-0100

December 21, 2007

The Honorable Sam Reed  
ATTN: Shane Hamlin  
Assistant Director of Elections  
PO Box 40220  
Olympia, WA 98504-0220

RECEIVED  
DEC 21 2007

Office of Secretary of State

Re: Initiative No. 406

Dear Mr. Reed:

Pursuant to RCW 29A.72.060, we supply herewith the ballot title and ballot measure summary for Initiative No. 406 to the Legislature (an act relating to long-term care services for the elderly and persons with disabilities).

### BALLOT TITLE

Statement of Subject: Initiative Measure No. 406 concerns long-term care services for the elderly and persons with disabilities

Concise Description: This measure would require certification for long-term care workers hired after January 1, 2009, based on new testing and disciplinary standards, increased training standards, and additional criminal background checks.

Should this measure be enacted into law? Yes ☐ No ☐

### BALLOT MEASURE SUMMARY

This measure would require that long-term care workers for the elderly or persons with disabilities hired after January 1, 2009, be certified within 180 days of hiring. Certification requirements would include increased state-approved training and a certification examination. Some of the training could be waived based on experience or for workers who already have certain healthcare licenses. A federal criminal background check screening for disqualifying convictions would be performed and paid for by the state.

Sincerely,

JEFFREY T. EVEN  
Deputy Solicitor General  
360-586-0728

**EXHIBIT H**



State of Washington

Filed

# AFFIDAVIT FOR PROPOSED INITIATIVE

JAN 30 2008

State of Washington

County of THURSTON

ss.

SECRETARY OF STATE

I, Linda Suzanne Lee, am a registered voter residing at: Enter your name as recorded on your voter registration—Please Print

33615 1ST WAY SOUTH, SUITE A FEDERAL WAY 98003  
STREET ADDRESS OR RURAL ROUTE CITY, WASHINGTON ZIP CODE

KING  
COUNTY TELEPHONE NO. (W/ AREA CODE)

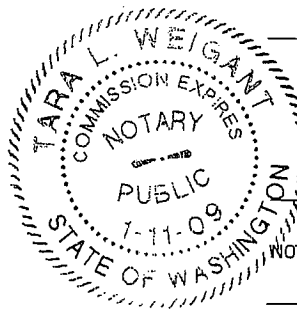
I herewith submit a proposed Initiative to the (check one)

- ☒ People  
☐ Legislature

in the form appended hereto regarding the subject of long-term care services and request that the Secretary of State file same and assign an Initiative number, and do further request that the Attorney General supply a ballot title.

Linda Suzanne Lee  
SIGNATURE OF SPONSOR

I certify that I know or have satisfactory evidence that Linda Suzanne Lee is the person who appeared before me, and said person acknowledged that (he/she) signed this instrument and acknowledged it to be (his/her) free and voluntary act for the uses and purposes mentioned in the instrument.



1/30/08

DATED

Tara L. Weigant  
NOTARY'S SIGNATURE

NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON

11/1/09

MY APPOINTMENT EXPIRES

**Note:** The Secretary of State routinely publishes lists of proposed initiatives, including sponsor addresses and telephone numbers. Initiative sponsors may have alternative contact information published by providing the information in the space below. Please keep in mind that all information provided in this affidavit is public record and is subject to public disclosure.

33615 1ST WAY SOUTH, SUITE A, FEDERAL WAY 98003  
ADDRESS CITY, WASHINGTON ZIP CODE

253-815-3700

TELEPHONE NO. (W/ AREA CODE)

253-815-3701

FAX NO. (W/ AREA CODE)

LINDA.LEE@SEN775.ORG

E-MAIL

**EXHIBIT I**

**Galarza, Brenda**

---

**From:** Hamlin, Shane  
**Sent:** Monday, July 07, 2008 8:01 PM  
**To:** Glidden, Teresa  
**Cc:** Motz, David  
**Subject:** RE: I-1029 History 2008  
**Importance:** High  
**Attachments:** 1029 Chronology 7-7-08.doc

Teresa,

Nice work with this. When you open the attachment you'll think I butchered it but not really. ☺

Please read through my comments and questions and respond or correct where necessary. These are intended to perfect the timeline and "make it ready" for review and use by our AG.

We need to turn this around today.

Thanks!

-Shane

---

**From:** Glidden, Teresa  
**Sent:** Thursday, July 03, 2008 9:58 AM  
**To:** Hamlin, Shane  
**Subject:** I-1029 History 2008

1-30-2008: First Initiative to the People filed. Rejected by Teresa Glidden after sending to Code Reviser due to Sponsor's address on affidavit actually being the address of the union headquarters in Federal Way – King Co. Sponsor (Linda Lee) actually resides and is registered to vote in Clark County.

2-11-2008: Initiative to the People filed.

2-22-2008: Certificate of Review received, assigned number 1015 and sent to Attorney General.

2-29-2008: Title and Summary received from Attorney General.

2-27-2008: Initiative to the People filed.

3-17-2008: Certificate of Review received, assigned number 1021 and sent to Attorney General.

3-24-2008: Title and Summary received from Attorney General.

3-12-2008: Initiative to the People filed.

3-28-2008: Certificate of Review received, assigned number 1029 and sent to Attorney General.

4-04-2008: Title and Summary received from Attorney General.

3-12-2008: Initiative to the People filed. (Two identical initiatives filed at the same time)

4-03-2008: Marked as "Inactive"

06-25-2008: Eddie Agazarm brought in a blank I-1029 petition, pointing out that the required per RCW 29A.76.140 preamble on it reads as an "initiative to the legislature". This was the FIRST time that I had seen any petition from this sponsor. I had heard through the "grapevine" that SEIU was gathering signatures, but they had never asked me to take a look at their petition prior to circulating, nor was I told which initiative they were gathering signatures on.

7/20/2008

*Teresa Glidden*  
*Initiatives Supervisor, Elections Division*  
*Office of the Secretary of State*  
*520 Union Ave SE, MS 40229*  
*Olympia, WA 98504*  
*360-725-5780*  
*Tglidden@secstate.wa.gov*

1-30-2008: First Initiative to the People filed. Rejected by Teresa Glidden after sending to Code Reviser due to sponsor's address on affidavit actually being the address of the SEIU headquarters in Federal Way, King Co. Linda Lee, the sponsor, actually resides and is registered to vote in Clark County.

2-11-2008: Initiative to the People filed.

2-22-2008: Certificate of Review received, assigned number 1015 and sent to Attorney General.

2-27-2008: Initiative to the People filed.

2-29-2008: Title and Summary received from Attorney General for the first filing, I-1015 (2-11-08).

3-12-2008: Two identical Initiative to the People filed at the same time.

3-17-2008: Certificate of Review received, assigned number 1021 and sent to Attorney General.

3-24-2008: Title and Summary received from Attorney General for the second filing, I-1021 (3-17-08).

3-28-2008: Certificate of Review received, assigned number 1029 and sent to Attorney General.

4-03-2008: Marked as "inactive".

4-04-2008: Title and Summary received from Attorney General for the third filing, I-1029 (3-28-08).

06-25-2008: Eddie Agazarm brought in a blank I-1029 petition, pointing out that the required per RCW 29A.76.140 preamble printed on the petition reads as an "initiative to the legislature". This was the FIRST time that Teresa had seen a petition from the sponsor. Teresa heard through the "grapevine" that SEIU was gathering signatures. Ms. Lee never asked Teresa to take a look at the petition prior to circulating it (as offered in the letter from Teresa to Ms. Lee dated 4-4-08), nor was she told which assigned initiative number SEIU and Ms. Lee were using.

Comment [sh1]: I re-ordered the events - placing them in exact chronological order. If this creates an unintended consequence or forces conclusion about the sequence of events that I am missing, please let me know.

Deleted: S

Deleted: union

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Deleted: Sponsor

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Comment [sh2]: I added these words for clarification. Am I correct?

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Comment [sh3]: Just for one of the initiatives filed on 3/12, right? Did you send both of the identical I. to the Code Reviser?

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Deleted: 3-12-2008: Initiative to the People filed. ¶

Comment [sh4]: I assume this refers to one of the two identical initiatives filed at the same time on 3-12? Please clarify here what this refers to.

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Deleted: 3-12-2008: Initiative to the People filed. (Two identical initiatives filed at the same time)¶

¶ 4-03-2008: Marked as "inactive"¶

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**EXHIBIT J**

**Galarza, Brenda**

---

**From:** Hamlin, Shane  
**Sent:** Wednesday, June 25, 2008 11:27 PM  
**To:** Blinn, Katie  
**Subject:** RE: Heads up: I-1029 - long-term care services

As serious as I know you are, your email still makes me smile.

---

**From:** Blinn, Katie  
**Sent:** Wed 6/25/2008 10:24 PM  
**To:** Hamlin, Shane  
**Subject:** RE: Heads up: I-1029 - long-term care services

If the caucus calls again, say something like this: "It is the role of the Secretary of State's Office to facilitate the initiative and referendum process, not hinder it."

---

**From:** Hamlin, Shane  
**Sent:** Wed 6/25/2008 4:23 PM  
**To:** Reed, Sam (Office)  
**Cc:** Even, Jeff; Pharris, James; Handy, Nick; Glidden, Teresa; Motz, David; Blinn, Katie; Ammons, Dave  
**Subject:** Heads up: I-1029 - long-term care services

Sam,

By way of this email I'm bringing you up to speed on a non-issue that may, in some circles, become an issue.

As documented in the email exchange below, I made an informed decision today to not reject petitions for I-1029 that incorrectly identify the measure as an initiative to the Legislature, rather than as an initiative to the people.

After consulting with Jim Pharris, Jeff Even and Katie, I came to the conclusion that we should accept the petitions.

Dave Ammons included a reference to this decision in an informal press memo he sent out this afternoon. The press memo focuses on the initiative process and the appointments we have for sponsors to submit their petitions.

As stated below, the error is not a cause for concern, i.e. that petition signers were misled by the error.

However, I did receive a call from the Senate Republican Caucus elections policy analyst expressing concern (on behalf of staff leadership, I'm guessing) about the decision and the precedent we (I) set by making this decision. This may not be the last time I hear from the caucus. I offered to talk with anybody else from the caucus that may have questions or concerns.

Bottom line, Sam, all of us that dealt with this issue today really felt like we made the right call and that this is non-issue.

Please let me know if you have any questions.

-Shane

---

**From:** Hamlin, Shane  
**Sent:** Wednesday, June 25, 2008 11:33 AM  
**To:** Hamlin, Shane; Glidden, Teresa  
**Cc:** Motz, David; Handy, Nick; Even, Jeff; Blinn, Katie; Pharris, James

7/29/2008

**Subject:** RE: Follow up - I-1029 - long-term care services

Our office is authorized to reject petitions, but not required to do so.

This error does not rise to a level that suggests voters were misinformed as result of the error, or that a signer would have acted otherwise if the petition correctly stated that it is an initiative to the people.

Let's accept the petitions.

Thanks again for catching this detail.

-Shane

---

**From:** Hamlin, Shane

**Sent:** Wednesday, June 25, 2008 10:50 AM

**To:** Hamlin, Shane; Glidden, Teresa

**Cc:** Motz, David; Handy, Nick; Even, Jeff; Blinn, Katie

**Subject:** Follow up - I-1029 - long-term care services

Teresa,

I've learned that Jeff is out ill today.

To expedite this process I placed a call to Jim Pharris, another AAG familiar with Chapter 29A.72.

I will share with you and Dave what I learn about this matter after Jim and I connect.

Thanks!

Shane

---

**From:** Hamlin, Shane

**Sent:** Wednesday, June 25, 2008 10:40 AM

**To:** Glidden, Teresa

**Cc:** Motz, David; Handy, Nick; Even, Jeff; Blinn, Katie

**Subject:** I-1029 - long-term care services

Teresa,

Thank you for bringing to my attention the fact the I-1029 sponsors printed the incorrect preamble on the petition forms. As you noted, the petitions are printed to read as an initiative to the Legislature when, in fact, it is an initiative to the people. This error appears to be a violation of RCW 29A.72.110 and 72.120.

As I understand the petition signature submission schedule, the I-1029 committee plans to submit about 300,000 signatures to our office on July 3.

I left Jeff Even a detailed voice message this morning (I also left a short voice message with his assistant).

It is my hope that I can speak with Jeff about this issue today so we can proceed with the appropriate course of action on this matter as soon as possible.

Thanks –

Shane

7/29/2008

**RCW 29A.72.110****Petitions to legislature — Form.**

Petitions for proposing measures for submission to the legislature at its next regular session must be substantially in the following form:

The warning prescribed by RCW 29A.72.140; followed by:

**INITIATIVE PETITION FOR SUBMISSION TO THE LEGISLATURE**

To the Honorable . . . . ., Secretary of State of the State of Washington:

We, the undersigned citizens and legal voters of the State of Washington, respectfully direct that this petition and the proposed measure known as Initiative Measure No. . . . . and entitled (here set forth the established ballot title of the measure), a full, true, and correct copy of which is printed on the reverse side of this petition, be transmitted to the legislature of the State of Washington at its next ensuing regular session, and we respectfully petition the legislature to enact said proposed measure into law; and each of us for himself or herself says: I have personally signed this petition; I am a legal voter of the State of Washington in the city (or town) and county written after my name, my residence address is correctly stated, and I have knowingly signed this petition only once.

The following declaration must be printed on the reverse side of the petition:

I, . . . . ., swear or affirm under penalty of law that I circulated this sheet of the foregoing petition, and that, to the best of my knowledge, every person who signed this sheet of the foregoing petition knowingly and without any compensation or promise of compensation willingly signed his or her true name and that the information provided therewith is true and correct. I further acknowledge that under chapter 29A.84 RCW, forgery of signatures on this petition constitutes a class C felony, and that offering any consideration or gratuity to any person to induce them to sign a petition is a gross misdemeanor, such violations being punishable by fine or imprisonment or both.

RCW 9A.46.020 applies to any conduct constituting harassment against a petition signature gatherer. This penalty does not preclude the victim from seeking any other remedy otherwise available under law.

The petition must include a place for each petitioner to sign and print his or her name, and the address, city, and county at which he or she is registered to vote.

**RCW 29A.72.120****Petitions to people — Form.**

Petitions for proposing measures for submission to the people for their approval or rejection at the next ensuing general election must be substantially in the following form:

The warning prescribed by RCW 29A.72.140; followed by:

**INITIATIVE PETITION FOR SUBMISSION TO THE PEOPLE**

To the Honorable . . . . ., Secretary of State of the State of Washington:

We, the undersigned citizens and legal voters of the State of Washington, respectfully direct that the proposed measure known as Initiative Measure No. . . . ., entitled (here insert the established ballot title of the measure), a full, true and correct copy of which is printed on the reverse side of this petition, be submitted to the legal voters of the State of Washington for their approval or rejection at the general election to be held on the . . . . . day of November, (year); and each of us for himself or herself says: I have personally signed this petition; I am a legal voter of the State of Washington, in the city (or town) and county written after my name, my residence address is correctly stated, and I have knowingly signed this petition only once.

The following declaration must be printed on the reverse side of the petition:

I, . . . . ., swear or affirm under penalty of law that I circulated this sheet of the foregoing petition, and that, to the best of my knowledge, every person who signed this sheet of the foregoing petition knowingly and without any compensation or promise of compensation willingly signed his or her true name and that the information provided therewith is true and correct. I further acknowledge that under chapter 29A.84 RCW, forgery of signatures on this petition constitutes a class C felony, and that offering any consideration or gratuity to any person to induce them to sign a petition is a gross misdemeanor, such violations being punishable by fine or imprisonment or both.

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The petition must include a place for each petitioner to sign and print his or her name, and the address, city, and county at which he or she is registered to vote.